IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)					
	Plaintiff,) 8:05CR169)			
	vs.) DETENTION ORDER			
AL	EJANDRO FRANCO-DELGADILLO,				
	Defendant.	'			
A.	Order For Detention After waiving a detention hearing pursuant to on May 16, 2005, the Court orders the above U.S.C. § 3142(e) and (i).				
B.	will reasonably assure the appearanc X By clear and convincing evidence that	pecause it finds: nat no condition or combination of conditions se of the defendant as required. It no condition or combination of conditions			
C.	will reasonably assure the safety of any other person or the community. C. Finding Of Fact The Court's findings are based on the evidence which was contained in the Pretria Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: the possession of methamphetamine in violation of 21 U.S.C. § 844(a) carries a maximum sentence of one year imprisonment; the possession of a firearm by an unlawful use of methamphetamine in violation of 18 U.S.C. § 922(g)(3) carries a maximum sentence of ten years imprisonment; and the possession of a short barreled rifle not registered to him in the National Firearms Registration and Transfer Record in violation of 26 U.S.C. §§ 5841 and 5861 carries a maximum sentence of ten years imprisonment. (b) The offense is a crime of violence. (c) The offense involves a narcotic drug. (d) The offense involves a large amount of controlled substances, to wit: (2) The weight of the evidence against the defendant is high. X (3) The history and characteristics of the defendant including: (a) General Factors: The defendant appears to have a mental condition which may affect whether the defendant will appear. The defendant has no family ties in the area. X The defendant has no substantial financial resources. The defendant has no substantial financial resources. The defendant is not a long time resident of the community. The defendant does not have any significant community ties. Past conduct of the defendant: the defendant has a history of providing false information to law enforcement officers. X The defendant has a history relating to drug abuse.				

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			 The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings.
		(b)	At the time of the current arrest, the defendant was on: Probation
			Parole
			Release pending trial, sentence, appeal or completion of
		(c)	sentence. Other Factors:
		(6)	The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted.
			The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
			Other:
X	(4)		ature and seriousness of the danger posed by the defendant's release
			follows: The nature of the charges in the Indictment and the defendant's
		drug a	buse history.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 16, 2005. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge